

June 29 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0099

IN THE MATTER OF THE ESTATE OF:
WILLIAM F. BIG SPRING, JR.,

Deceased.

JULIE BIG SPRING and WILLIAM BIG
SPRING, III,

Appellants,

v.

ANGELA CONWAY, DOUG ECKERSON,
and GEORGIA ECKERSON,Appellees.

FILED

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ORDER

Pursuant to § 4.50(c) of this Court's Rules for Privacy and Public Access to Court Records in Montana (the Rules), complete social security numbers, complete financial account numbers, full names of minor children, and full birth dates of any person are not available for public access without leave of the Court. Furthermore, pursuant to § 4.50(d) of the Rules, it is the responsibility of the filing party to comply with the Rules to protect private information. Said information should be redacted from all documents submitted as part of a court record. The Court has determined that Appellee Angela Conway's Brief of Appellee, filed June 28, 2010, is not in compliance with these rules. For example, Exhibits A, F, and G (attached to the brief) contain full birth dates.

M. R. App. P. 12(1)(d) requires that the statement of the facts portion of a brief contain references to the pages or the parts of the record at which material facts appear. Furthermore, M. R. App. P. 12(9) provides that a reference to the record must be to particular

parts of the record, suitably designated, and to specific pages of each part (e.g., Answer, p.7; Motion for Summary Judgment, p.3; Transcript, p. 231), and that a reference to an exhibit shall be made to the pages of the transcript on which the exhibit was identified, offered, and received or rejected. The Court has determined that Appellee Angela Conway's Brief of Appellee does not comply with these rules.

Therefore,

IT IS ORDERED that the original and nine copies of the referenced Brief of Appellee Angela Conway be, and are hereby, returned for revisions necessary to comply with the specified rules;

IT IS FURTHER ORDERED that the postage costs for returning the referenced brief be billed to Appellee's counsel by the Clerk of the Supreme Court and shall be due and payable upon receipt;

IT IS FURTHER ORDERED that no other changes, additions, or deletions may be made to the brief as originally filed;

IT IS FURTHER ORDERED that the original and nine copies of the revised brief ordered herein be filed within ten days of the date of this Order with the Clerk of the Supreme Court and that one copy of the revised brief be served on each counsel of record;

IT IS FURTHER ORDERED that the times for any subsequent briefing contained in M. R. App. P. 13 shall run from the date of re-filing the brief being returned this date.

The Clerk is directed to mail a true copy of this Order, together with the original and all copies of the brief referenced herein, to counsel for Appellee and to mail a true copy of this Order to all counsel upon whom the Brief of Appellee Angela Conway was served.

DATED this 29th day of June, 2010.

For the Court,

By

Justice